

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 5401 PCB JUAS 11-08 Cybercrime Office

SPONSOR(S): Justice Appropriations Subcommittee, Glorioso

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Justice Appropriations Subcommittee	14 Y, 0 N	McAuliffe	Jones Darity
1) Appropriations Committee		McAuliffe	Leznoff

SUMMARY ANALYSIS

The bill conforms to the House of Representatives proposed Fiscal Year 2011-2012 General Appropriations Act by providing for a transfer of all functions of the Department of Legal Affairs Cybercrime Office to the existing cybercrime unit at the Florida Department of Law Enforcement.

This bill will transfer 15 full-time equivalent positions and \$611,523 in General Revenue and \$404,272 in federal trust fund authority from the Department of Legal Affairs to the Florida Department of Law Enforcement. In addition, the bill reduces the budget of the Department of Legal Affairs by 19 full-time equivalent positions and \$1,419,936 in General Revenue. The total savings to the General Revenue fund is \$1,419,936.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Section 16.61, F.S., creates the Cybercrime Office within the Department of Legal Affairs. The office was created in 2006 and is charged with investigating violations of state law pertaining to the sexual exploitation of children over the internet and other electronic devices. The office currently employs 34 full-time equivalent positions and has a budget of \$2.5 million.

The Florida Department of Law Enforcement also has a cybercrime unit that has been in existence since 1998 and handles all computer cybercrime, not just child predators. This unit currently employs 14 full-time equivalent positions and has a budget of \$1.4 million.

Effect of the Bill

This bill provides for a transfer of all functions of the Department of Legal Affairs Cybercrime Office to the existing cybercrime unit at the Florida Department of Law Enforcement. This will include the transfer of 15 full-time equivalent positions and \$611,523 in General Revenue and \$404,272 in federal trust fund authority.

B. SECTION DIRECTORY:

Section 1. Repeals s. 16.61, F.S., relating to the Department of Legal Affairs' Cybercrime Office.

Section 2. Provides for a type two transfer of the cybercrime unit from the Department of Legal Affairs to the Florida Department of Law Enforcement.

Section 3. Provides and effective date of July 1, 2011

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The total savings to the General Revenue fund is \$1,419,936. This bill will transfer 15 full-time equivalent positions and \$611,523 in General Revenue and \$404,272 in federal trust fund authority from the Department of Legal Affairs to the Florida Department of Law Enforcement. In addition, the bill reduces the budget of the Department of Legal Affairs by 19 full-time equivalent positions and \$1,419,936 in General Revenue.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require the counties or municipalities to spend funds or take an action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES